

RECEIVED
5/13/2022
THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

:Carmen-M.: Hartsfield
:Sebastian-D.: Hartsfield
23100 Eastbrook Drive
Sauk Village, IL 60411
05/12/2022

:Sebastian-Dior: Hartsfield., and)
:Carmen-Michelle: Hartsfield.)
Executors for the Estate of Ezra Jerome)
and Marjorie Hartsfield.)
Authorized representatives of all)
derivatives thereof.)
Plaintiff(s),)
vs.)

**United States District Court
Northern District of Illinois**

21-CV-4360

DEUTSCHE BANK NATIONAL TRUST COMPANY,)
as Trustee for Saxon Asset Securities Trust 2007-2 Mortgage)
Loan Asset Backed Certificates, Series 2007-2; and)
F Jim Della Sala d/b/a F JIM DELLA SALA;)
Russell Wirbicki d/b/a RUSSELL WIRBICKI;)
THE WIRBICKI LAW GROUP;)
WILLIAM P BUTCHER ATTORNEY AT LAW and)
William P Butcher d/b/a WILLIAM P BUTCHER;)
STATE OF ILLINOIS;)
Michael Lewis Nixon d/b/a MICHAEL LEWIS NIXON;)
Margaret Jean Coccozza d/b/a MARGARET JEAN COCOZZA;)
PHH MORTGAGE SERVICES/OCWEN FINANCIAL CORP)
and Glen Messina d/b/a GLEN MESSINA;)
NEWREZ MORTGAGE COMPANY and Bruce J. Williams)
d/b/a BRUCE J. WILLIAMS; and)
GUARDIAN ASSET MANAGEMENT and Ernie Stefkovic)
d/b/a ERNIE STEFKOVIC; and all other)
Unknown offenders)
Defendants.)

AMENDED COMPLAINT

608 MILLION DOLLAR CLAIM UNDER 42 U.S. CODE SEC. 1983 ACTION
FOR DEPRIVATION OF CIVIL RIGHTS, VIOLATION OF DUE PROCESS,
CONSPIRACY TO COMMIT REAL ESTATE DEED FRAUD, FORGERY,

**WRONGFUL FORECLOSURE, AND BREACH OF CONTRACT THIS CLAIM IS
ALSO FOR OBSTRUCTION OF THE ADMINISTRATION OF JUSTICE**

["Cujusque Rei Potissima Pars"][The Principle Part Of Everything Is In The Beginning]

Comes Now Plaintiffs Carmen-Michelle: Hartsfield© and Sebastian-Dior: Hartsfield©, Executors for The Estate of Ezra Jerome and Marjorie Hartsfield, deceased, to file their Claim against the defendants. The claim will be brought forward in Common Law, "Administrative Law," "Law," "Equity," and Under the Uniform Commercial Code. This 42 U.S. Code Sec. 1983 Civil Action Claim is for Deprivation of Civil Right Under Color of Law, conspiracy to commit real estate deed fraud, and forgery. This case is brought to enforce constitutionally protected rights under 42 U.S.C. § 1983, conspiracy statutes under Federal Law.

42 U.S. Code § 1983 - Civil action for deprivation of rights

Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress, except that in any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable. For the purposes of this section, any Act of Congress applicable exclusively to the District of Columbia shall be a statute of the District of Columbia.

JURISDICTION:

1. The Judiciary Act, through Congress, placed admiralty under the jurisdiction of the federal district courts.
2. This court has subject matter jurisdiction over this matter pursuant to 28 U.S.C. 1331, which provides district courts with jurisdiction over civil actions arising under the United States Constitution or laws of the United States.
3. This court has personal jurisdiction over the defendants' corporations because the corporation's principal place of business is in this state.
4. Venue is proper pursuant to 28 U.S.C. 1391(b) because the events giving rise to the allegations in this complaint occurred in this district.

5. Federal court has jurisdiction over this case based on the following reasons:

- a. 42 USC 1983 civil rights claim is Constitutional dispute.
- b. The plaintiff is filing a claim against the state court judges, whereby other state court judges would have a conflict of interest.
- c. The state is guilty of real estate deed fraud which is verified by the day-to-day process of registering homeowners' property deeds in their office.
- d. The state is in control of the plaintiff's property deed when there is no law that forced the plaintiff to register their property.
- e. The state is paying the judge and providing a pension, 401-k, so other state court judges will have a conflict to hear this case in state court.

6. The State is the real party responsible for the foreclosure on the plaintiff's property using state-licensed sub-agencies to do the dirty work.

7. The amount of damage is over what the state court has jurisdiction to rule on.

8. The defendants violated Federal Laws.

9. The defendants violate the plaintiff's right to due process in state court whereby is liable under 42 U.S.C 1983, a federal civil rights statute.

10. There is no other court available for remedy.

FACTUAL ALLEGATIONS:

11. The original contract in this case was altered, stolen and that there was an addition to the agreement with the following items that are missing from the contract filed in this case:

12. The intent of the agreement is that the original party who funded the alleged loan per the bookkeeping entries is to be repaid the money,

13. The bank or financial institution involved in the alleged loan will follow GAAP,

14. The lender or financial institution involved in the alleged loan will purchase the promissory note from the borrower,

15. The borrower does not provide any money, money equivalent, credit, funds or capital or thing of value that a bank or financial institution will use to give value to a check or similar instrument,

16. The borrower is to repay the loan in the same species of money or credit that the bank or financial institution used to fund the loan per GAAP, thus ending all interest and liens, and

17. The written agreement gives full disclosure of all material facts.

18. The Bank Advertised That They Loan Money:

- a. Ezra Jerome and Marjorie Hartsfield (Ezra and Marjorie) applied for a loan.
- b. They refused to loan Ezra and Marjorie legal tender or other depositors' money to fund the alleged bank loan check.
- c. The bank misrepresented the elements of the alleged agreement to the alleged borrower.
- d. There is no bona fide signature on the alleged promissory note.
- e. The promissory note is a forgery.
- f. The promissory note—with Ezra and Marjorie's name on it— obligates them to pay \$247,000,000 plus interest, giving it a substantial value in today's market if it were sold to investors.
- g. The bank recorded the forged promissory note as a loan from Ezra and Marjorie to the bank.
- h. The bank used this loan to fund the alleged bank loan check back to Ezra and Marjorie.
- i. The bank refused to loan the plaintiff legal tender or other depositors' money in the amount of \$247,000,000 or repay the unauthorized loan it recorded from them to the bank.
- j. The bank changed the cost and the risk of the alleged loan.
- k. The bank operated without Ezra and Marjorie's knowledge, permission, authorization, or agreement.
- l. The bank denied Ezra and Marjorie equal protection under the law.
- m. The bank refused to disclose material facts of the alleged agreement and refused to tell Ezra and Marjorie if the agreement was for them to fund the alleged bank loan

check or if the bank is to use the bank's legal tender or other depositors' money to fund the bank loan check.

- n. They refused to disclose whether the check was the consideration loaned for the alleged promissory note.
- o. The bank failed to disclose if the promissory note is money or not money.
- p. It appears the bank recorded the promissory as an unauthorized loan from Ezra and Marjorie to the bank.

19. The defendants committed and conspired to commit real estate deed fraud when they failed to deliver the property deed as mandated by the state property transfer statute.

- a. The mortgage deal was Not done according to the GAAP accounting principles in violation of the federal law.
- b. The electronic credits called the mortgage loan was generated by the plaintiff's signature on the promissory note.
- c. The words stamped on the promissory note "pay to the order of" without recourse will verify the bank official who signed there received the electronic credits called the mortgage loan.
- d. There was no exchange of money in the mortgage loan.

20. Valid conveyances require that the executed deed be delivered to and accepted by the grantee.

21. The property deed was never delivered or accepted by the plaintiff.

22. The defendants committed acts of forgery when they fraudulently made false documents and altered real documents as if they are genuine.

23. The fact the alleged lender accepted the plaintiff's signature on the mortgage lien proves the plaintiff owned the property already.

24. The first illegal mortgage lien was placed on the property after the unlawful registration.

25. The defendants created fictitious obligations, 18 U.S.C. §514, and conspired to use extortionate means to collect the alleged debt which was actually a transaction of extension of Ezra and Marjorie's consumer credit, 18 U.S.C. §891 and §894.

25. The attorney Russell C. Wirbicki and The Wirbicki Group employed for DEUTSCHE BANK NATIONAL TRUST COMPANY is a 3rd party debt collector located at 33 W. Monroe, Suite 1540, Chicago, Illinois 60603.

26. On May 17, 2021, Russell C. Wirbicki filed a foreclosure case (case #21 CH 02399) against the plaintiffs' property without an affidavit from an injured party to provide jurisdiction to the court (see Cook County Docket #2021-CH-02399).

27. The statute the attorney used in the foreclosure complaint is not a valid law as it does not have the three elements the state constitution mandates must be present to be a valid law.

28. The foreclosing statute 735 ILCS 5 Code of Civil Procedure, Article XV is missing the enacting clause, the title, and the body, and therefore the foreclosing statute is not a valid law and is unconstitutional on its face.

30. The defendants violated the F.D.C.P.A. when they engaged in abuse, threats, coercion, misrepresentation, fraud, harassment, unfair means, and deception to collect a debt where there is no injured party.

31. The plaintiff initiated an offer of Conditional Acceptance upon proof of claim addressed to PHH Mortgage Services and Glen Messina d/b/a GLEN MESSINA, CEO on February 26, 2021, certified mail # 7018 3090 0000 6603 7929, which went unanswered by the requested affidavit sworn under penalty of perjury. And as the CA states "Your silence or refusal equates to stipulation of the above facts and your agreement in that you and PHH MORTGAGE SERVICES ITS SUCCESSORS AND/OR ASSIGNS AS THEIR INTEREST MAY APPEAR will accept the contract/lien accepted for value to discharge the contract/lien/debt and be congruent with.", thus resulting in dishonor and default (see original federal complaint).

32. The plaintiffs responded to The Wirbicki Law Group 3rd party debt collection letter dated March 8, 2021 which threatened foreclosure action. Once again, the same offer of Conditional Acceptance upon proof of claim was mailed to Russell C. Wirbicki, certified mail # 7018 3090 0000 6603 7943; and to Deutsche Bank National Trust Company and F Jim Della Sala d/b/a F JIM DELLA SALA, CEO, certified mail # 7018 3090 0000 6603 7950 which also went unanswered by requested affidavit sworn under penalty of perjury. And as the CA states, "Your silence or refusal equates to stipulation of the above facts and your agreement in that you and

DEUTSCHE BANK NATIONAL TRUST COMPANY ITS SUCCESSORS AND/OR ASSIGNS AS THEIR INTEREST MAY APPEAR will accept the contract/lien accepted for value to discharge the contract/lien/debt and be congruent with.”, thus resulting in dishonor and default (see original federal complaint).

33. The plaintiffs followed up with a second mailing of a Notice of Fault and Opportunity to Cure to Russell Wirbicki on May 11, 2021; certified mail #7018 3090 0000 6603 7974 and also to Deutsche Bank National Trust Company and F Jim Della Sala; certified mail #7018 3090 0000 6603 7967. A third mailing of a Notice of Fault and Opportunity to Cure was made to Russell Wirbicki on May 21, 2021; certified mail # 7020 1290 0000 3331 0603 and also to Deutsche Bank National Trust Company and F Jim Della Sala; certified mail #7020 1290 0000 3331 0597. The defendants did not answer and as stated in the CA, “Through your non-response, you are now in fault and you agree with and have stipulated that there is no further balance owed on the account number mentioned above” (see original federal complaint).

34. The defendants never responded to the three communications, sent by certified mail (the postal rule) of the plaintiffs’ Conditional Acceptance, nor the notices of fault and Opportunity to Cure with an affidavit by a counter-affidavit produced an affidavit or proof of claim on the property. Nor did they provide any of the requested documentary evidence supporting the fraudulent claim that a loan was made to Ezra and Marjorie.

35. The plaintiffs are filing copies of their birth certificates showing they are not U.S. citizens, they are State Citizens of the Republic State of Illinois, and therefore not subject to the court’s statutory jurisdiction without an injured party.

36. The plaintiffs were subjected to harassment from 4 or 5 attorneys that all signed on the court record.

37. There is no injured party.

38. Deutsche Bank National Trust Company, and the conspiring defendants PHH Mortgage Services, NewRez Mortgage Company, The Wirbicki Group, and Guardian Asset Management cannot make sworn statements for they are all fictional entities, are not a living thinking beings; they are fictions and have no substance. Therefore, they cannot generate any demands,

signatures, claims, or approvals as they do not possess a head/brain, arms/hands or legs/feet. They are incompetent minors.

39. The defendants are conspiring and attempting to seize our rightful property in response to a dispute/conditional acceptance of an alleged debt reflected on repeated mailings of monthly presentments with attached coupons. The defendants violated 18 U.S.C. §1343 “Whoever, having devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations...” According to 18 U.S.C. § 8, “The term “obligation or other security of the United States” includes all bonds, certificates of indebtedness...Federal Reserve notes, Federal Reserve bank notes, coupons...bills, checks, or drafts for money, drawn by or upon authorized officers of the United States...issued under any Act of Congress, and canceled United States stamps.”

40. Russell Wirbicki and The Wirbicki Law Group are participating in debt collection activities, and are not registered as debt collectors in the State of Illinois.

41. On May 17, 2021 Russell Wirbicki signed on to the case as the attorney of record.

42. On August 12, 2021, Judge Michael Lewis Nixon appointed William P. Butcher as special representative to the Estate of Ezra Jerome and Marjorie Hartsfield without judicial jurisdiction, an injured party, without consent of the plaintiffs and without contract with the plaintiffs.

43. The plaintiffs are filing a notice of removal to move the state court foreclosure over to the federal court in the interest of justice.

44. Plaintiffs are filing an amended federal lawsuit against the defendants.

45. The case is currently pending in the state court before Judge Margaret Jean Coccozza with a hearing date of July 16, 2022.

46. The defendants broke their Executive oath to support the Constitution of the United States. The defendants are violating the plaintiffs’ indigenous birthrights and inheritance rights, consumer rights and unalienable constitutionally protected 4th Amendment right “...to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures...” and 5th Amendment right “...nor shall private property be taken for public use, without just compensation.”

47. The plaintiffs were harassed through the mail, causing injury, and character defamation—including threats and obscene language, libel, intent to deceive and attempted theft of our inheritance, 18 U.S.C. §1343 “Whoever, having devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations...”, and Matthew 22:35-40 and Psalm 94.

48. Guardian Asset Management conspired with the defendant by sending an agent(s) multiple times to vandalize the property by publicly posting harassing, libelous bills on the property, attempting to breach the property, break and enter on 04/08/21 and between 04/23-04/28/2021, thereby causing damage to the front door lock violating 15 U.S.C. 1692d (See pictures in exhibit of original complaint).

49. The Bank participated in identity theft and shared all or part of Ezra and Marjorie’s personal data, private location data, intellectual property and biological property signatures with third parties for financial gain, including credit reporting agencies, without express written consent or contract, or a court order.

50. The defendants given access to Ezra Jerome and Marjorie Hartsfield’s social security number or “credit card”, per 15 U.S.C. §1602 ‘The term “credit card” means any card, plate, coupon book or other credit device existing for the purpose of obtaining money, property, labor, or services on credit.’, have become Trustees of the Social Security Cestui que Trust EZRA JEROME HARTSFIELD aka EZRA J HARTSFIELD and MARJORIE HARTSFIELD and have a fiduciary duty to the natural human beneficiary.

51. Russell Wirbicki/THE WIRBICKI LAW GROUP and PHH MORTGAGE SERVICES/OCWEN FINANCIAL CORP and NEWREZ MORTGAGE COMPANY unlawfully and illegally mailed alleged debt collection communications through the United States Postal Service libeling Ezra and Marjorie by stating they owed payment on an alleged debt, also without their express consent or contract.

52. SCHEME TO DEFRAUD:

- a. The contract filed in this case is forged and missing at least 6- provisions that are listed in the original contract.
- b. The foreclosure statute used to provide the court with jurisdiction is not a valid law as it is missing the three (3) elements the State Constitution mandates must be present to be a valid law.
- c. The State constitution mandates all laws are to be enacted and have an enacting clause, a title, and a body.
- d. Original Contract with the signatures of both the alleged borrowers, and the lender have never been filed in court to verify there was a bilateral contract.
- e. Without a certification of the accounting, entries of the attorneys cannot verify there was a debt.
- f. The attorney cannot verify agency and therefore the foreclosure lawsuit has a fatal flaw.
- g. The foreclosure was filed showing the lender as the plaintiff, however no one from the lender's corporation signed the foreclosure documents.
- h. There is no witness before the court to give the court jurisdiction.
- i. There is No Affidavit filed in the case to give the state court jurisdiction.
- j. The plaintiffs were harassed through the mail, causing injury, and character defamation—including threats and obscene language, libel, intent to deceive and attempted theft of their inheritance and private property, 18 U.S.C. §1343
- k. The defendants, knowingly and under fraudulent pretenses and representations, conspired and schemed to defraud the plaintiffs to obtain money and property in connection with the purchase or sale of the securitized promissory note and deed of trust in violation of 18 U.S.C. 1344.
- l. The defendants willfully, knowingly, and maliciously ignored the contractual validity of the Conditional Acceptance in a conspiratorial scheme to defraud the plaintiffs.

THE LENDER FAILED TO FOLLOW THE GAAP ACCOUNTING LAWS:

53. The contract should be rescinded because the attorneys did not provide full disclosure, the contract is extremely deceptive and unconscionable, In re Pearl Maxwell, 281 B.R. 101. The

Truth in Lending Act, Regulation Z, 12 CFR §226.23, states that the security agreement signed with a lender can be rescinded if they have not provided the proper disclosures.

54. The original debt was zero because the Plaintiff's financial asset was exchanged for FED's promissory notes in an even exchange. Promissory Notes and other commercial instruments are legal tender, financial assets to the originator and a liability to the lender.

55. If a security interest in the note is perfected, by recording it on a lien as a registered security, the maker or originator becomes an entitlement holder in the asset.

56. But the attorneys do not understand that they have this liability because most of them are unaware of it.

- a. UCC §1-201(24), §3-104, §3-306, §3-105,
- b. UCC §§8-102 (7), (9), (15), (17), §8-501, §8-503, §8-511
- c. UCC §§9-102(9), (11), (12)(B), (49), (64)
- d. 12 USC 1813(l)(1)

57. The defendant's records will show the defendants have an offsetting liability to the plaintiff pursuant to FAS 95, GAAP and Thrift Finance Reports (TFR).

58. These records include:

- a. FR 2046 balance sheet,
- b. 1099-OID report,
- c. S-3/A registration statement,
- d. 424-B5 prospectus and
- e. RC-S & RC-B Call Schedules

Plaintiff's claims are brought forward Under Common Law:

59. ELEMENTS FOR COMMON LAW:

- a. Controversy (The listed defendants)
- b. Specific Claim (fraud in the factum, wrongful foreclosure, breach of contract, negligent/reckless conduct)

- c. Specific Remedy Sought by Claimant (compensatory damages, punitive damages—608 million dollars USD)
- d. Claim Is Sworn To (Affidavit of Verification attached), and We will verify in open court that all herein be true.

60. PARTIES:

- a. :Carmen-M.: Hartsfield and :Sebastian-D.: Hartsfield, Heirs, Beneficiaries, and Executors for the Estate of Ezra Jerome and Marjorie Hartsfield, citizens of the Republic state of Illinois, consumers, non-attorneys, non-tenant, non-corporate entities, and non-participants in any commercial, agricultural, or military activities.
- b. The first defendant is The STATE OF ILLINOIS.
- c. The second defendant is Russell-C.: Family of Wirbicki and Russell-C.: Family of Wirbicki d/b/a Trustee of the Social Security Cestui que Trust EZRA JEROME HARTSFIELD and MARJORIE HARTSFIELD and d/b/a RUSSELL C WIRBICKI, MANAGING ATTORNEY of THE WIRBICKI LAW GROUP
- d. The third defendant is THE WIRBICKI LAW GROUP
- e. The fourth defendant is DEUTSCHE BANK NATIONAL TRUST COMPANY, as Trustee for SAXON ASSET SECURITIES TRUST 2007-2 Mortgage Loan Asset Backed Certificates, Series 2007-2;
- f. The fifth defendant is F-Jim: Family of Della Sala and F-Jim: Family of Della Sala d/b/a Trustee of the Social Security Cestui que Trust EZRA JEROME HARTSFIELD and MARJORIE HARTSFIELD and d/b/a F JIM DELLA SALA, Principal of the Trust business entity titled “DEUTSCHE BANK NATIONAL TRUST COMPANY”
- g. The sixth defendant is PHH MORTGAGE SERVICES/OCWEN FINANCIAL CORPORATION
- h. The seventh defendant is Glen: Family of Messina and Glen: Family of Messina d/b/a Trustee of the Social Security Cestui que Trust EZRA JEROME HARTSFIELD and MARJORIE HARTSFIELD and d/b/a GLEN MESSINA, CEO of PHH MORTGAGE SERVICES
- i. The eighth defendant is NEWREZ MORTGAGE COMPANY

- j. The ninth defendant is Bruce-J.: Family of Williams and Bruce-J: Family of Williams d/b/a Trustee of the Social Security Cestui que Trust EZRA JEROME HARTSFIELD and MARJORIE HARTSFIELD and d/b/a BRUCE J WILLIAMS, CEO of NEWREZ LLC
- k. The tenth defendant is Michael-L: Family of Nixon and Michael-L: Family of Nixon d/b/a Trustee of the Social Security Cestui que Trust EZRA JEROME HARTSFIELD and MARJORIE HARTSFIELD and d/b/a MICHAEL LEWIS NIXON, JUDGE COOK COUNTY ILLINOIS CIRCUIT COURT
- l. The eleventh defendant is Margaret-J.: Family of Cocozza and Margaret-J.: Family of Cocozza d/b/a Trustee of the Social Security Cestui que Trust EZRA JEROME HARTSFIELD and MARJORIE HARTSFIELD and d/b/a MARGARET-J.: FAMILY OF COCOZZA, JUDGE COOK COUNTY ILLINOIS CIRCUIT COURT
- m. The twelfth defendant is GUARDIAN ASSET MANAGEMENT
- n. The thirteenth defendant is Ernie: Family of Stefkovic and Ernie: Family of Stefkovic d/b/a ERNIE STEFKOVIC, CEO
- o. The fourteenth defendant is William-P: Family of Butcher and William-P: Family of Butcher d/b/a Trustee of the Social Security Cestui que Trust EZRA JEROME HARTSFIELD and MARJORIE HARTSFIELD and d/b/a WILLIAM P BUTCHER of WILLIAM P BUTCHER ATTORNEY AT LAW
- p. The fifteenth defendant is WILLIAM P BUTCHER ATTORNEY AT LAW

COUNTS

Count One: Violation of 42 U.S.C. 1983:

- 61. Plaintiff incorporates by reference the facts alleged in paragraphs 1-60.
- 62. The defendant's negligence was the direct and proximate result of the plaintiff's injuries.

Count Two: Violation of Due Process:

- 63. Plaintiff incorporates by reference the facts alleged in paragraphs 1-60

64. The defendants had a duty to follow the law and the constitution.

Count Three: Conspiracy to Commit Real Estate Deed Fraud:

65. Plaintiff incorporates by reference the facts alleged in paragraphs 1-60

66. The defendants conspired and schemed to defraud plaintiffs to obtain money and property.

Count Four: Forgery:

67. Plaintiff incorporates by reference the facts alleged in paragraphs 1-60

Count Five: Wrongful Foreclosure:

68. Plaintiff incorporates by reference the facts alleged in paragraphs 1-60

Count Six: Breach of Contract:

69. Plaintiff incorporates by reference the facts alleged in paragraphs 1-60

Count Seven: Real Estate Deed Fraud:

70. Plaintiff incorporates by reference the facts alleged in paragraphs 1-60

Count Seven: Obstruction of The Administration of Justice

71. Plaintiff incorporates by reference the facts alleged in paragraphs 1-60

WRONGFUL FORECLOSURE:

72. The wrongful foreclosure action filed in state court had no injured party and therefore damages should be granted.
73. The 6th Amendment secures that no person will be deprived of life, liberty, or property without due process of law.
74. The "the injured party" must appear and state he/she is owed a debt, the debtor must be given the right to challenge this debt for "validation" 15 USC 1692g. Only an "injured party" can claim a debt is owed. "Imaginary persons" cannot appear or give testimony and cannot be the "Plaintiff" of any cause of action.
75. There is no injured party in the state foreclosure case and it and therefore the court did not have jurisdiction.

BREACH OF CONTRACT:

76. The bank advertised that they loan money:
- a. Ezra and Marjorie applied for a loan, when in actuality they participated in a consumer credit transaction.
 - b. A bank's role is not to extend credit nor loans, 12 U.S.C. §1431. Banks cannot loan their own stock or money, 12 U.S.C. §83.
 - c. They refused to loan Ezra and Marjorie legal tender or other depositors' money to fund the alleged bank loan check.
 - d. The bank misrepresented the elements of the alleged agreement to the alleged borrower.
 - e. There is no bona fide signature on the alleged promissory note.
 - f. The promissory note is a forgery.
 - g. Deutsche, and its agents, ignored the offer to cure through conditional acceptance sent by certified mail (the Postal Rule), thereby breaching first.
 - h. Any contract is void because Deutsche did not fulfill the agreement since the Banking Act prohibits them from lending their own credit. The Bank violated usury laws through charging interest on the credit loan that they had no authority to enter into. Only actual money can incur interest, not credit.

- i. The Doctrine of “Ultra Vires” voids any contract because no damage occurred to Deutsche since they risked nothing and had no charter authority to enter into a contract.
- j. Defendants have not produced the documentary evidence requested in the offer of conditional acceptance to rule out Robo document signing, false notary signatures and submission of questionable inaccurate or patently counterfeit affidavit.
- k. The plaintiffs are requesting a securitization audit. Deutsche is not a real party of interest. If the loan has been securitized, the original lender has already been paid.
- l. If the loan has been securitized, no loan exists anymore and cannot be converted into a loan again. Therefore, the promissory note no longer exists and if this is a fact, there is nothing to secure through deed of trust.
- m. The securitized promissory note has been divided. If the deed of trust and promissory note each indicate different parties, the deed of trust is defective and unenforceable. The promissory note and deed of trust cannot be separated, *U.S. Supreme Court case Carpenter v. Longan*.
- n. The defendants, knowingly and under fraudulent pretenses and representations, conspired and schemed to defraud the plaintiffs to obtain money and property in connection with the purchase or sale of the securitized promissory note and deed of trust, 18 U.S.C. 1344.
- o. The promissory note—with Ezra’s and Marjorie’s name on it— obligated them to pay \$247,000 plus interest, giving it a substitutional value if it were sold to investors.
- p. The bank recorded the forged promissory note as a loan from Ezra and Marjorie to the bank.
- q. The bank used this loan to fund the alleged bank loan check back to Ezra and Marjorie.
- r. The bank refused to loan Ezra and Marjorie legal tender or other depositors' money in the amount of \$247,000 or repay the unauthorized loan it recorded from them to the bank.
- s. The bank changed the cost and the risk of the alleged loan.
- t. The bank operated without Ezra and Marjorie’s knowledge, permission, authorization, or agreement.
- u. The bank denied Ezra and Marjorie equal protection under the law.
- v. The bank refused to disclose material facts of the alleged agreement and refused to tell the plaintiffs if the agreement was for Ezra and Marjorie to fund the alleged bank loan

check or if the bank is to use the bank's legal tender or other depositors' money to fund the bank loan check.

- w. They refused to disclose whether the check was the consideration loaned for the alleged promissory note.
- x. The bank failed to disclose if the promissory note is money or not money.
- y. It appears the bank recorded the promissory as an unauthorized loan from the plaintiff to the bank.
- z. The attorneys are misrepresenting themselves as working for a lender when they are illegally collecting as a 3rd party debt collector in violation of the F.D.C.P.A.

77. The defendants violated the plaintiff's right to due process 42 U.S.C. 1983 by using an unfair court process that is in violation of the federal laws and the court rules.

78. The defendants obstructed the administration of justice.

NEGLIGENT/RECKLESS CONDUCT:

79. As a proximate result of the negligent or reckless conduct of the attorney acting as a 3rd party debt collector the plaintiff suffered injury when the attorney filed unlawful foreclosure using a foreclosure statute that is missing the 3 elements needed to be considered a valid law.

80. The state constitution mandates laws to be enacted by congress and they must have an enacting clause, a title, and a body.

81. The revised statutes use to provide jurisdiction to the court is not a valid law and therefore rob the court of jurisdiction. The attorneys filed a forged contract in the state foreclosure case.

82. The contract filed is missing the following provisions agreed upon in the original contract:

- a. The intent of the agreement is that the original party who funded the alleged loan per the bookkeeping entries is to be repaid the money,
- b. The bank or financial institution involved in the alleged loan will follow GAAP,
- c. The lender or financial institution involved in the alleged loan will purchase the promissory note from the borrower,

- d. The borrower does not provide any money, money equivalent, credit, funds or capital or thing of value that a bank or financial institution will use to give value to a check or similar instrument,
- e. The borrower is to repay the loan in the same species of money or credit that the bank or financial institution used to fund the loan per GAAP, thus ending all interest and liens, and
- f. The written agreement gives full disclosure of all material facts.

83. The defendants violated the plaintiff's right to due process 42 U.S.C. 1983 by using an unfair court process that is in violation of the federal laws and the court rules.

84. The defendants obstructed the administration of justice.

Slander of Title:

85. The defendants have caused to be recorded various documents including an unlawful foreclosure which constitutes slander of title, and the plaintiff should be awarded resulting damages to be fully proved at the time of trial.

Slander of Credit:

86. The plaintiff allege that the actions and inactions of the defendants have impaired their credit causing them to lose the ability to have good credit entitling them to damages, including statutory punitive damages pursuant to state and federal law, all to be proved at the time of trial.

Infliction of Emotional Distress:

87. The defendants have intentionally and negligently taken illegal actions which have caused the plaintiff's severe emotional distress.

88. The attack on the plaintiff's home using a statute that is not valid is fraud on the court.

89. The fact that part of the original agreement is missing from the contract filed in the state foreclosure case is a clear showing of illegal intent to cause distress.

Damages:

90. The plaintiffs are seeking damages for wrongful foreclosure, and have shown that
- a. there was an irregularity in the foreclosure process
 - b. the irregularity caused the plaintiff damages. See *University Sav. Ass'n v. Springwoods*.
91. As a proximate result of the negligent actions of defendants, the plaintiffs have suffered consequential damage and will continue to suffer additional damage in an amount to be fully proved at the time of trial.
92. As a result of these actions by The Wirbicki Law Group, Judge Nixon and Judge Coccozza, Russell Wirbicki, and the defendants.

The plaintiffs have suffered in the following ways:

- a. Lost income. I, :Carmen-M.: Hartsfield.© have had to temporarily relocate back to Illinois. I have lost assignment opportunities in order to take care of the filings, estate management and consultation with our law advisors. During this process, I have also suffered intense anxiety attacks with a loss of sleep, and reoccurring heart palpitations. Because my work is both self-employed and contract-based, there is no making up this deficit with vacation or sick leave.
- b. Mental anguish. The potential loss of inherited property left by our parents and grandparents have caused the rightful heirs to be under constant stress due to dealing with the dubious actions of the persons named in this lawsuit. :Sebastian-D.: Hartsfield.© has been on constant alert in fear of the potential persons in this lawsuit breaching the property and causing damage and changing the locks.
- c. The defendants, acted with deliberate indifference to the Constitution and or federal laws when they violated the plaintiffs' right UNDER 42 U.S. CODE SEC. 1983, and the plaintiff's right to "due process".

93. The Judge Lacks Immunity When He/She Violates the Law:

The judge has qualified immunity when he/she follows the constitution and the law. The Tucker Act exposes the government to liability for certain claims. Specifically, the Act extended the court's jurisdiction to include claims for liquidated or unliquidated damages arising from the Constitution (including takings claims under the Fifth Amendment), a federal statute or regulation, and claims in cases not arising in tort. The relevant text of the Act is codified in 28 U.S.C. §§ 1346(a) and 1491. The Tucker Act (March 3, 1887, ch. 359, 24 Stat. 505, 28 U.S.C. §

1491) is a federal statute of the United States by which the United States government has waived its sovereign immunity with respect to lawsuits pertaining to 5th Amendment violations of due process.

The Five Elements of “Due Process”:

94. In assessing whether this demonstration has been or can be made, the courts look to the five elements, which, over the centuries of judicial experience, have come to be recognized as the sine qua non of “due process.”

- a. Equality: The system must not discriminate procedurally between parties. If one party is entitled to counsel, then all are entitled. If notice is provided one, it must be provided for all. The essential requirement for Equality is that the system provide a “level playing field” for the disputants. Discrimination in appearance or fact is an anathema to the Equality required to satisfy due process.
- b. Economy: The cost of access to the system must not be a barrier to its use or operate to the disadvantage of one or the other parties. This means that grievance and arbitration proceedings should not be made a Board profit center and, in fact, may have to become subsidized to assure open access.
- c. Expedition: As “justice delayed is frequently justice denied,” there is an affirmative obligation on the part of the system to expedite ethics and arbitration proceedings. This does not foreclose orderly procedure with adequate time to ensure notice, time to prepare, opportunity to identify and gather witnesses, and otherwise develop facts and arguments. It does, however, foreclose dilatory tactics, unreasonable extension of time, and protraction of hearings.
- d. Evidence: The system must be designed and function to elicit evidence, not assumptions; proof, not presumptions. While strict rules of evidence in the judicial sense do not apply, there must be control of what is admitted as relevant and judgment as to what is mere speculation and hearsay designed to prejudice rather than inform.
- e. Equity: The system must produce decisions that reflect a sense and substance of “rightness” and “reasonableness.” In matters involving unethical conduct, the punishment should fit the offense. The judgment should reflect consideration of extenuating circumstances and a balancing of competing values and objectives. Moreover, the

predictability, consistency, and uniformity of the system's performance is an important measure of Equity.

95. Conspiracy: A federal criminal conspiracy is built up of five elements:

- a. Two or more persons that;
- b. Intentionally;
- c. Agreed;
- d. To violate federal law or defraud the United States; and commit an overt act in furtherance of the agreement.

96. Elements for Forgery:

Forgery is making, using, altering, or possessing a false document with the intent to commit fraud. Forgery can be the creation of a false document or changing an authentic one. There are several elements to the crime of forgery, and all must be proven before someone can be found guilty:

- a. A person must make, alter, use, or possess a false document. Forgery can be creating a false document from scratch or altering an otherwise genuine document in a material way. The alteration is material if it affects a legal right,
- b. The writing must have legal significance,
- c. The writing must be false. The writing must have been created or changed in a way that makes it appear that the document represents something that it is not,
- d. Intent to defraud.

97. Request for Damages:

Plaintiffs request compensatory, and general damages for expenses including: legal expenses, mental anguish associated with living with the consequences of the defendant's maleficence, loss of income, and damaged credit score, embarrassment from having plaintiffs' house listed on Zillow and other Real estate foreclosure websites before while the case is in litigation. The plaintiffs request punitive damages in what the federal laws deem just and fair. Plaintiffs pray that this court enter judgment for the Plaintiff and against each of the Defendants, and grant:

- a. compensatory and consequential damages, including damages for emotional distress, humiliation, and other pain and suffering on all claims allowed by law in an amount in excess 608 million dollars (\$608,000,000). **(Remedy and Fee Schedule attached)**,
- b. any further relief that this court deems just and proper, and any other appropriate relief allowable by law.

WHEREFORE, Plaintiffs :Carmen-Michelle: Hartsfield.© and :Sebastian-Dior: Hartsfield.©, Heirs, Beneficiaries and Executors for the Estate of Ezra Jerome and Marjorie Hartsfield request the following:

- a. That the court enter a judgment in favor of :Carmen-Michelle: Hartsfield.© and :Sebastian-Dior: Hartsfield.©, and against the defendants on all counts of the Complaint:
- b. That the court award compensatory damages to Plaintiffs and against the defendants jointly and severally,
- c. That the court award punitive damages to plaintiffs, and against the defendants, jointly and severally, in an amount that such award will deter similar proscribed conduct by the defendants in the future.
- d. That the court award to plaintiffs, and against the defendants, prejudgment and post-judgment interest on all sums awarded in this action, and including reasonable legal fees, pursuant to 42.U.S.C. Sec. 1988: and
- e. That the court grant Plaintiffs such other equitable relief that the court deems appropriate.

Demand For A Trial By Jury

Comes Now, the plaintiffs, and hereby demands jury trial on all issues so triable to a jury.

Respectfully submitted,
/s/:Carmen-Michelle: Hartsfield.,
Beneficiary and Executrix for
The Estate of Ezra Jerome
and Marjorie Hartsfield
c/o 23100 Eastbrook Drive
Sauk Village, IL (60411)
803-743-5254
carmenhartsfield@gmail.com
All Rights Reserved
Without Prejudice
UCC 1-308

Respectfully submitted,
/s/:Sebastian-Dior: Hartsfield.,
Beneficiary and Executor for
The Estate of Ezra Jerome
and Marjorie Hartsfield
23100 Eastbrook Drive
Sauk Village, IL (60411)
708-560-1971
s.dior@comcast.net
All Rights Reserved
Without Prejudice
UCC 1-308

AFFIDAVIT OF VERIFICATION

I declare under the penalty of bearing false witness before God and as recognized under the laws in and for The State of Illinois, the Laws of the United States of America, acting with sincere intent and full standing in law, do herewith certify and state that the foregoing contents are true, correct, complete, certain, admissible as evidence, and not intended to mislead anyone, and that :Carmen-Michelle: Hartsfield.© and :Sebastian-Dior: Hartsfield.©, execute(s) this document in accordance with best knowledge and understanding without dishonor, without recourse; with All rights reserved, without prejudice.

Done this 13th day of May in the year 2022, under penalty of perjury under the laws of the United States of America.

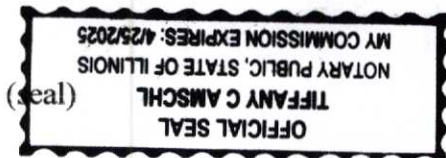
by: Carmen-Michelle: Hartsfield.©

Carmen-Michelle:Hartsfield©, Heiress and Beneficiary;
Executrix for the Estate of Ezra Jerome and Marjorie Hartsfield
All rights reserved without prejudice, UCC 1-308

by: Sebastian-Dior: Hartsfield.©

Sebastian-Dior:Hartsfield©, Heir and Beneficiary;
Executor for the Estate of Ezra Jerome and Marjorie Hartsfield
All rights reserved without prejudice, UCC 1-308

Will ^{9A}
State of Illinois County of ~~Cook~~. This instrument was acknowledged before me on
May 13, 2022 (date) by :Carmen-Michelle: Hartsfield and :Sebastian-Dior: Hartsfield.



Tiffany C AMSCHL signature of notary public

UNITED STATES OF AMERICA AFFIDAVIT OF CITIZENSHIP

STATE OF Illinois

COUNTY OF Cook

I, the Affiant, who goes by: Carmen-Michelle: Hartsfield., a woman, being of sound mind, and over the age of twenty-one, reserving all rights, being unschooled in law, and who has no BAR attorney, is without an attorney, and having never been re-presented by an attorney, and not waiving assistance of counsel, knowingly and willingly Declares and Duly affirms, in accordance with laws in and for the State of Illinois in good faith, and with full intent for preserving and promoting the public confidence in the integrity and impartiality of the government and the judiciary, that the following statements and facts, are true and correct of Affiant's own first-hand knowledge, understanding, and belief, do solemnly declare, and depose and States: I'm a citizen of the United States of America and give legal notice to law enforcement agents and officers of the court you are hereby notified that the holder of this document is not under your jurisdiction, and an official diplomatic representative of the Republic State of Illinois and must be given due respect and freedom from local, county state and U. S statutes codes rules and regulations. Failure to do so will result in human rights violation under international law.

I was born in the Republic State of Illinois, which makes me a Citizen of all states, and one of the people, and a beneficiary of, the republic U.S.A. constitution of 1789/1791. This affidavit is made for the sole purpose of reclaiming my citizenship, my passport and birth certificate will be used to certify my state citizenship. A State Citizen has absolute freedom and liberty protected by our founding documents. The birth certificate attached and or a copy of my state passport will verify that I was born in the Republic State of Illinois. I'm not a citizen of the federal corporation the District of Columbia, also known as USDC or the UNITED STATES. The term **"United States" means— (A) a Federal corporation;** see 28 USC 3002 (15), a U.S. citizen is a legal fiction / U.S. corporation and has no rights secured by the constitution. A State Citizen is a Citizen of the United States. But **not** the same as a 14th amendment "Citizen of the United States". And the 14th amendment fell two states short of being ratified. So, it does not lawfully exist.

A 14th amendment citizen is born in the United States which is a federal territory and subject to congress. This is not the same as being born in one of the several states of the Union. **The United States of America is the de jure republic government, not the United States which is the corporation.** The preamble to the constitution establishes the United States of America, not the United States. So, we have **Two Different and Distinct National Governments.** See: *U.S. v. Anthony* 24 Fed. 829 (1873) "*The term resident and citizen of the United States (this means 14th amendment citizen) is distinguished from a Citizen of one of the several states, in that the former is a special class of citizen created by Congress.*" See case law... "*Taxpayers are not [de jure] State Citizens.*" *Belmont v. Town of Gulfport*, 122 So. 10.

There is a great deal of confusion in this area, I hope this affidavit will clear up the misunderstanding for the parties, court and certify my State citizenship.

I believe the confusion started when my parents signed me up as a minor for a social security number when my parents checked off that I was a U.S. citizen on the SS-5 application. And then I continued to claim to be a U.S. citizen not aware of the fact there were two different meaning for a state citizen. The U.S. in this case, is the federal corporation the District of Columbia, also known as USDC or the UNITED STATES. It was created by the **congressional act of 1871.**

Also see **28 USC 3002 (15) "United States" means— (A) a Federal corporation;**

I'm being injured in that I'm being deprived rights under color of law 18 USC 241 and 18 USC-242 18 U.S. Code § 1545. Safe conduct violation, protects me as a state citizen and "Whoever violates any safe conduct or passport duly obtained and issued under authority of the United States shall be fined under this title, imprisoned not more than 10 years, or both."

I'm a State Citizen of the Republic State of Illinois and therefore Not subject to illegal property tax collections.

FURTHER AFFIANT SAITH NOT.

I declare under the penalty of bearing false witness before God and as recognized under the laws in and for The State of Illinois, the Laws of the United States of America, acting with sincere intent and full standing in law, do herewith certify and state that the foregoing contents are true, correct, complete, certain, admissible as evidence, and not intended to mislead anyone, and that :Carmen-Michelle: Hartsfield. executes this document in accordance with best knowledge and understanding without dishonor, without recourse; with All rights reserved, without prejudice.

Done this 13 day of May in the year 2022, under penalty of perjury under the laws of the United States of America.

by: Carmen-Michelle: Hartsfield ©
:Carmen-Michelle: Hartsfield ©, Beneficiary
All rights reserved, without prejudice UCC1-308

SUBSCRIBED AND SWORN to this 13th day of May 2022.

Tiffany C Anschel
Notary in and for: Will County, IL

Seal:



UNITED STATES OF AMERICA AFFIDAVIT OF CITIZENSHIP

STATE OF Illinois

COUNTY OF Cook

I, the Affiant, who goes by: Sebastian-Dior: Hartsfield., a man, being of sound mind, and over the age of twenty-one, reserving all rights, being unschooled in law, and who has no BAR attorney, is without an attorney, and having never been re-presented by an attorney, and not waiving assistance of counsel, knowingly and willingly Declares and Duly affirms, in accordance with laws in and for the State of Illinois in good faith, and with full intent for preserving and promoting the public confidence in the integrity and impartiality of the government and the judiciary, that the following statements and facts, are true and correct of Affiant's own first-hand knowledge, understanding, and belief, do solemnly declare, and depose and States: I'm a citizen of the United States of America and give legal notice to law enforcement agents and officers of the court you are hereby notified that the holder of this document is not under your jurisdiction, and an official diplomatic representative of the Republic State of Illinois and must be given due respect and freedom from local, county state and U. S statutes codes rules and regulations. Failure to do so will result in human rights violation under international law.

I was born in the Republic State of Illinois, which makes me a Citizen of all states, and one of the people, and a beneficiary of, the republic U.S.A. constitution of 1789/1791. This affidavit is made for the sole purpose of reclaiming my citizenship, my passport and birth certificate will be used to certify my state citizenship. A State Citizen has absolute freedom and liberty protected by our founding documents. The birth certificate attached and or a copy of my state passport will verify that I was born in the Republic State of Illinois. I'm not a citizen of the federal corporation the District of Columbia, also known as USDC or the UNITED STATES. The term **"United States" means— (A) a Federal corporation;** see 28 USC 3002 (15), a U.S. citizen is a legal fiction / U.S. corporation and has no rights secured by the constitution. A State Citizen is a Citizen of the United States. But **not** the same as a 14th amendment "Citizen of the United States". And the 14th amendment fell two states short of being ratified. So, it does not lawfully exist.

A 14th amendment citizen is born in the United States which is a federal territory and subject to congress. This is not the same as being born in one of the several states of the Union. **The United States of America is the de jure republic government, not the United States which is the corporation.** The preamble to the constitution establishes the United States of America, not the United States. So, we have **Two Different and Distinct National Governments.** See: *U.S. v. Anthony* 24 Fed. 829 (1873) "*The term resident and citizen of the United States (this means 14th amendment citizen) is distinguished from a Citizen of one of the several states, in that the former is a special class of citizen created by Congress.*" See case law... "*Taxpayers are not [de jure] State Citizens.*" *Belmont v. Town of Gulfport*, 122 So. 10.

There is a great deal of confusion in this area, I hope this affidavit will clear up the misunderstanding for the parties, court and certify my State citizenship.

I believe the confusion started when my parents signed me up as a minor for a social security number when my parents checked off that I was a U.S. citizen on the SS-5 application. And then I continued to claim to be a U.S. citizen not aware of the fact there were two different meaning for a state citizen. The U.S. in this case, is the federal corporation the District of Columbia, also known as USDC or the UNITED STATES. It was created by the **congressional act of 1871.**

Also see **28 USC 3002 (15) "United States" means— (A) a Federal corporation;**

I'm being injured in that I'm being deprived rights under color of law 18 USC 241 and 18 USC-242 18 U.S. Code § 1545. Safe conduct violation, protects me as a state citizen and "Whoever violates any safe conduct or passport duly obtained and issued under authority of the United States shall be fined under this title, imprisoned not more than 10 years, or both."

I'm a State Citizen of the Republic State of Illinois and therefore Not subject to illegal property tax collections.

FURTHER AFFIANT SAITH NOT.

I declare under the penalty of bearing false witness before God and as recognized under the laws in and for The State of Illinois, the Laws of the United States of America, acting with sincere intent and full standing in law, do herewith certify and state that the foregoing contents are true, correct, complete, certain, admissible as evidence, and not intended to mislead anyone, and that :Sebastian-Dior: Hartsfield., executes this document in accordance with best knowledge and understanding without dishonor, without recourse; with All rights reserved, without prejudice.

Done this 13th day of May in the year 2022, under penalty of perjury under the laws of the United States of America.

bl. Dior

:Sebastian-Dior: Hartsfield©., Beneficiary
All rights reserved, without prejudice UCC1-308

SUBSCRIBED AND SWORN to this 13th day of May 2022.

Tiffany C AMSCHL

Notary in and for: Will County, IL

Seal:



:Carmen-M.: Hartsfield
:Sebastian-D.: Hartsfield
23100 Eastbrook Drive
Sauk Village, IL 60411
05/13/2022

REQUEST FOR DAMAGES (Re: #97 pg. 21)

1. Zero out the balance on this account.
2. Pay three times the alleged loan amount
3. Remove all fraudulent liens from property.
4. Fine of One Hundred Million USD per offending corporation.
5. Cancellation of alleged contracts and agreements.
6. Return all previous payments and any down payments.
7. Clear all deeds and titles.
8. Revoke any power of attorney given knowingly and unknowingly.
9. Invoke the Right of Recission.
10. Executorship of all equitable accounts created in Ezra Jerome and Marjorie Hartsfield's names, and provide all accounting and allonges.
11. Maximum allowable civil liability damages.
12. Fine of One Million USD for each offending Executive involved.
13. Deutsche and PHH Mortgage Services to pay late fee of Two Thousand-Five Hundred USD per day retroactive to the date of our first correspondence of conditional acceptance.
14. Deutsche to pay One Thousand USD per entry, per month for every time they shared all or part of our parents' biological property, personal data, intellectual property, and signatures with any and all credit reporting agencies without express written consent or contract.
15. All attorney and court fees.
16. Fulfillment of attached Fee Schedule.
17. Written express apologies from all defendants.

FEE SCHEDULE

FRAUDULENT PARTIES	VIOLATION	AMOUNT
DEUTSCHE BANK NATIONAL TRUST COMPANY/CEO F Jim Della Sala	15 U.S.C. § 1692(h); (k)	1 per centum of the net worth
DEUTSCHE BANK NATIONAL TRUST COMPANY/CEO F Jim Della Sala	15 U.S.C. § 1692(h); (k)	3x Original Mortgage Value
DEUTSCHE BANK NATIONAL TRUST COMPANY/CEO F Jim Della Sala	15 U.S.C. § 1692(h); (k)	\$10,000/Attorney Fees
DEUTSCHE BANK NATIONAL TRUST COMPANY/CEO F Jim Della Sala	ADDITIONAL ASSESSED DAMAGES Emotion distress, Defamation of character, other unseen injuries.	\$50,000
DEUTSCHE BANK NATIONAL TRUST COMPANY/CEO F Jim Della Sala	FAILURE TO PERFORM	\$1,000 per day since initial mailings
THE WIRBICKI LAW GROUP/Managing Attorney Russell Wirbicki	15 U.S.C. § 1692(h); (k)	1 per centum of the net worth
THE WIRBICKI LAW GROUP/Managing Attorney Russell Wirbicki	15 U.S.C. § 1692(h); (k)	\$10,000/Attorney Fees
THE WIRBICKI LAW GROUP/Managing Attorney Russell Wirbicki	ADDITIONAL ASSESSED DAMAGES Emotion distress, Defamation of character, other unseen injuries.	\$50,000
THE WIRBICKI LAW GROUP/Managing Attorney Russell Wirbicki	FAILURE TO PERFORM	\$1,000 per day since initial mailings
PHH MORTGAGE SERVICES/ OCWEN FINANCIAL CORP/ CEO Glen Messina	15 U.S.C. § 1692(h); (k)	1 per centum of the net worth

:Carmen-M.: Hartsfield
 :Sebastian-D.: Hartsfield
 23100 Eastbrook Drive
 Sauk Village, IL 60411
 05/13/2022

PHH MORTGAGE SERVICES/ OCWEN FINANCIAL CORP/ CEO Glen Messina	15 U.S.C. § 1692(h); (k)	\$10,000/Attorney Fees
PHH MORTGAGE SERVICES/ OCWEN FINANCIAL CORP/ CEO Glen Messina	ADDITIONAL ASSESSED DAMAGES Emotion distress, Defamation of character, other unseen injuries.	\$50,000
PHH MORTGAGE SERVICES/ OCWEN FINANCIAL CORP/ CEO Glen Messina	FAILURE TO PERFORM	\$1,000 per day since initial mailings
GUARDIAN ASSET MANAGEMENT/ CEO Ernie Stefkovic	15 U.S.C. § 1692(h); (k)	1 per centum of the net worth
GUARDIAN ASSET MANAGEMENT/ CEO Ernie Stefkovic	15 U.S.C. § 1692(h); (k)	\$10,000/Attorney Fees
GUARDIAN ASSET MANAGEMENT/ CEO Ernie Stefkovic	INVASION OF PRIVACY & TRESPASS	\$10,000 per occurrence (x2)
GUARDIAN ASSET MANAGEMENT/ CEO Ernie Stefkovic	CRIMINAL DAMAGE TO PROPERTY/VANDALISM	\$10,000
GUARDIAN ASSET MANAGEMENT/ CEO Ernie Stefkovic	ADDITIONAL ASSESSED DAMAGES Emotion distress, Defamation of character, other unseen injuries	\$50,000

NOTES

*PRIVATE RIGHT OF ACTION

*PURSUANT TO 1692K (a-1) (2-A). CIVIL LIABILITY.

*Other Consumer Protection Laws May Apply

***\$1,000,000** in stipulated cost to initiate private right of action in a court of competent jurisdiction enforcing consumer protections laws.

AFFIDAVIT AND NOTICE OF REVOCATION OF POWER OF ATTORNEY

LET IT BE KNOWN TO ALL MEN, PERSONS AND ENTITIES, I come in peace, in honor, with clean hands and in good faith, and that the following be true that I:

- 1) Present myself, :Sebastian-Dior: Hartsfield.©, Beneficiary. I am a living man, free indigenous American, crowned to life by my mother's labor and the Creator's will on the land of the Republic State of Illinois on the day July 1, 1979, current era;
- 2) Am a natural consumer, non-tenant, non-corporate entity, and non-participant in any commercial, agricultural, or military activities;
- 3) Am of sound mind and body, of the age of consent and fully capable of executing my own will, affairs, and estate;
- 4) Revoke and terminate all forms of power(s) of attorney granted knowingly and unknowingly, actual, implied, tacit, written, disclosed and undisclosed throughout the entire known and unknown universe, *Nunc pro tunc*;
- 5) Revoke all powers of attorney granted knowingly and unknowingly to various agencies of the County, State and Federal *de facto* government;
- 6) Revoke ANY and ALL contracts entered into with agents or agencies of the government unknowingly and unintentionally waiving rights for privileges or benefits, present or future;
- 7) Revoke my signature or authorization on ANY and ALL contracts, documents or things in the possession, custody and/or control of either AGENT or PRINCIPLE;
- 8) Reserve ALL of my unalienable rights by virtue of the Declaration of Independence (1776), the Treaty of Paris, the Articles of Confederation (1777), the Constitution for the united states of America, the Bill of Rights (1791) and 246 years of positive American law;
- 9) Repudiate any presumed obligation to pay a fraudulent debt on a declared yet undisclosed State and federal bankruptcy;
- 10) Reject and Refuse elected and appointed agents, politicians, public officials, judges, attorneys and police officers acting under "color of law", violating their oaths of office and allegiance to the Constitution for the united states of America, while acting knowingly and unknowingly as the express agents of foreign principles;
- 11) I am a citizen of the united states of America and the Republic State of Illinois and not under the jurisdiction of the federal, corporate United States, 18 U.S.C. 3002(15), as a U.S. citizen.

I declare under the penalty of bearing false witness before God and as recognized under the laws in and for The State of Illinois, the Laws of the United States of America, acting with sincere intent and full standing in law, do herewith certify and state that the foregoing contents are true, correct, complete, certain, admissible as evidence, and not intended to mislead anyone, and that :Sebastian-Dior: Hartsfield.©, executes this document in accordance with best knowledge and understanding without dishonor, without recourse; with All rights reserved, without prejudice.

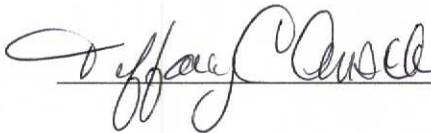
Done this 13th day of May in the year 2022, under penalty of perjury under the laws of the United States of America.

by: 

:Sebastian-Dior: Hartsfield.©, Beneficiary
All rights reserved without prejudice, UCC 1-308

Will ⁸⁴
State of Illinois County of Cook. This instrument was acknowledged before me on
May 13, 2022 (date) by :Sebastian-Dior: Hartsfield.©.



 signature of notary public

AFFIDAVIT AND NOTICE OF REVOCATION OF POWER OF ATTORNEY

LET IT BE KNOWN TO ALL MEN, PERSONS AND ENTITIES, I come in peace, in honor, with clean hands and in good faith, and that the following be true that I:

- 1) Present myself, :Carmen-Michelle: Hartsfield.©, Beneficiary. I am a living woman, free indigenous American, crowned to life by my mother's labor and the Creator's will on the land of the Republic State of Illinois on the day November 8, 1973, current era;
- 2) Am a natural consumer, non-tenant, non-corporate entity, and non-participant in any commercial, agricultural, or military activities;
- 3) Am of sound mind and body, of the age of consent and fully capable of executing my own will, affairs, and estate;
- 4) Revoke and terminate all forms of power(s) of attorney granted knowingly and unknowingly, actual, implied, tacit, written, disclosed and undisclosed throughout the entire known and unknown universe, *Nunc pro tunc*;
- 5) Revoke all powers of attorney granted knowingly and unknowingly to various agencies of the County, State and Federal *de facto* government;
- 6) Revoke ANY and ALL contracts entered into with agents or agencies of the government unknowingly and unintentionally waiving rights for privileges or benefits, present or future;
- 7) Revoke my signature or authorization on ANY and ALL contracts, documents or things in the possession, custody and/or control of either AGENT or PRINCIPLE;
- 8) Reserve ALL of my unalienable rights by virtue of the Declaration of Independence (1776), the Treaty of Paris, the Articles of Confederation (1777), the Constitution for the united states of America, the Bill of Rights (1791) and 246 years of positive American law;
- 9) Repudiate any presumed obligation to pay a fraudulent debt on a declared yet undisclosed State and federal bankruptcy;
- 10) Reject and Refuse elected and appointed agents, politicians, public officials, judges, attorneys and police officers acting under "color of law", violating their oaths of office and allegiance to the Constitution for the united states of America, while acting knowingly and unknowingly as the express agents of foreign principles;
- 11) I am a citizen of the united states of America and the Republic State of Illinois and not under the jurisdiction of the federal, corporate United States, 18 U.S.C. 3002(15), as a U.S. citizen.

I declare under the penalty of bearing false witness before God and as recognized under the laws in and for The State of Illinois, the Laws of the United States of America, acting with sincere intent and full standing in law, do herewith certify and state that the foregoing contents are true, correct, complete, certain, admissible as evidence, and not intended to mislead anyone, and that :Carmen-Michelle: Hartsfield.©, executes this document in accordance with best knowledge and understanding without dishonor, without recourse; with All rights reserved, without prejudice.

Done this 13 day of May in the year 2022, under penalty of perjury under the laws of the United States of America.

by: Carmen-Michelle: Hartsfield.©

:Carmen-Michelle:Hartsfield.©, Beneficiary
All rights reserved without prejudice, UCC 1-308

Will
State of Illinois County of Cook. This instrument was acknowledged before me on
May 13, 2022 (date) by :Carmen-Michelle: Hartsfield.©.



Tiffany C AMSCHL signature of notary public

AFFIDAVIT AND NOTICE OF REVOCATION OF POWER OF ATTORNEY

LET IT BE KNOWN TO ALL MEN, PERSONS AND ENTITIES, I come in peace, in honor, with clean hands and in good faith, and that the following be true that We:

- 1) Present ourselves, :Carmen-Michelle: Hartsfield.© and :Sebastian-Dior: Hartsfield.©, Executors for The Estate of Ezra Jerome and Marjorie Hartsfield, by private written and witnessed will and authorized representatives for all derivatives thereof;
- 2) :Ezra-Jerome: Hartsfield., born a living man, free indigenous American, crowned to life by his mother's labor and the Creator's will on the land of the Republic State of Illinois on the day June 17, 1942, current era and deceased on the land of the Republic State of Illinois on the day August 20, 2020;
- 3) :Marjorie: Hartsfield., nee :Marjorie: Etherly, born a living woman, free indigenous American, crowned to life by her mother's labor and the Creator's will on the land of the Republic State of Illinois on the day February 7, 1945, current era and deceased on the land of the Republic State of Illinois on the day July 21, 2017;
- 4) As Executors for The Estate of Ezra Jerome and Marjorie Hartsfield, have first-hand witness that they were natural consumers, non-tenants, non-corporate entities, and non-participants in any commercial, agricultural, or military activities;
- 5) As Executors for The Estate of Ezra Jerome and Marjorie Hartsfield, are of sound mind and body, of the age of consent and fully capable of executing their own will, affairs, and estate;
- 6) As Executors for The Estate of Ezra Jerome and Marjorie Hartsfield, revoke and terminate all forms of power(s) of attorney granted knowingly and unknowingly, actual, implied, tacit, written, disclosed and undisclosed throughout the entire known and unknown universe, *Nunc pro tunc*;
- 7) As Executors for The Estate of Ezra Jerome and Marjorie Hartsfield, revoke all powers of attorney granted knowingly and unknowingly to various agencies of the County, State and Federal *de facto* government;
- 8) As Executors for The Estate of Ezra Jerome and Marjorie Hartsfield, revoke ANY and ALL contracts entered into with agents or agencies of the government unknowingly and unintentionally waiving rights for privileges or benefits, present or future;
- 9) As Executors for The Estate of Ezra Jerome and Marjorie Hartsfield, revoke signatures or authorization on ANY and ALL contracts, documents or things in the possession, custody and/or control of either AGENT or PRINCIPLE;
- 10) As Executors for The Estate of Ezra Jerome and Marjorie Hartsfield, reserve ALL of their unalienable rights by virtue of the Declaration of Independence (1776), the Treaty of

Paris, the Articles of Confederation (1777), the Constitution for the united states of America, the Bill of Rights (1791) and 246 years of positive American law;

- 11) As Executors for The Estate of Ezra Jerome and Marjorie Hartsfield, repudiate any presumed obligation to pay a fraudulent debt on a declared yet undisclosed State and federal bankruptcy;
- 12) As Executors for The Estate of Ezra Jerome and Marjorie Hartsfield, reject and refuse elected and appointed agents, politicians, public officials, judges, attorneys and police officers acting under "color of law", violating their oaths of office and allegiance to the Constitution for the united states of America, while acting knowingly and unknowingly as the express agents of foreign principles;
- 13) As Executors for The Estate of Ezra Jerome and Marjorie Hartsfield, have first-hand witness that they were citizens of the united states of America and the Republic State of Illinois and not under the jurisdiction of the federal, corporate United States, 18 U.S.C. 3002(15), as a U.S. citizen.

We declare under the penalty of bearing false witness before God and as recognized under the laws in and for The State of Illinois, the Laws of the United States of America, acting with sincere intent and full standing in law, do herewith certify and state that the foregoing contents are true, correct, complete, certain, admissible as evidence, and not intended to mislead anyone, and that :Carmen-Michelle: Hartsfield.©, and :Sebastian-Dior: Hartsfield.© executes this document in accordance with best knowledge and understanding without dishonor, without recourse; with All rights reserved, without prejudice.

Done this 13 day of May in the year 2022, under penalty of perjury under the laws of the United States of America.

by: Carmen-Michelle: Hartsfield.©

:Carmen-Michelle:Hartsfield.©, Beneficiary
All rights reserved without prejudice, UCC 1-308

by: Sebastian-Dior: Hartsfield.©

Sebastian-Dior:Hartsfield©, Heir and Beneficiary;
Executor for the Estate of Ezra Jerome and Marjorie Hartsfield
All rights reserved without prejudice, UCC 1-308

Will T

State of Illinois County of ~~Cook~~. This instrument was acknowledged before me on
May 13, 2022 (date) by :Carmen-Michelle: Hartsfield and :Sebastian-Dior: Hartsfield.



Tiffany C AMSCHL signature of notary public

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

_____ District of _____

Plaintiff(s)

v.

Defendant(s)

)
)
)
)
)
)
)
)
)
)
)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* _____
 was received by me on *(date)* _____ .

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 _____ on *(date)* _____ ; or

☐ I returned the summons unexecuted because _____ ; or

☐ Other *(specify)*: _____ .

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

U.S. Department of Justice
United States Marshals Service

PROCESS RECEIPT AND RETURNSee "Instructions for Service of Process by U.S. Marshal"

PLAINTIFF	COURT CASE NUMBER
DEFENDANT	TYPE OF PROCESS

SERVE AT { NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN
ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW	Number of process to be served with this Form 285	
	Number of parties to be served in this case	
	Check for service on U.S.A.	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (**Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service:**)

Fold

Fold

Signature of Attorney other Originator requesting service on behalf of:	<input type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER	DATE
---	--	------------------	------

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY-- DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only for USM 285 if more than one USM 285 is submitted)	Total Process _____	District of Origin No. _____	District to Serve No. _____	Signature of Authorized USMS Deputy or Clerk _____	Date _____
---	------------------------	---------------------------------	--------------------------------	---	---------------

I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the on the individual, company, corporation, etc. shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)

Name and title of individual served (if not shown above)	<input type="checkbox"/> A person of suitable age and discretion then residing in defendant's usual place of abode				
Address (complete only different than shown above)	<table border="1"> <tr> <td>Date</td> <td>Time <input type="checkbox"/> am <input type="checkbox"/> pm</td> </tr> <tr> <td colspan="2">Signature of U.S. Marshal or Deputy _____</td> </tr> </table>	Date	Time <input type="checkbox"/> am <input type="checkbox"/> pm	Signature of U.S. Marshal or Deputy _____	
Date	Time <input type="checkbox"/> am <input type="checkbox"/> pm				
Signature of U.S. Marshal or Deputy _____					

Service Fee	Total Mileage Charges including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal* or (Amount of Refund*)

REMARKS:

PRINT 5 COPIES:

1. CLERK OF THE COURT
2. USMS RECORD
3. NOTICE OF SERVICE
4. BILLING STATEMENT*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.
5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

_____ District of _____

Plaintiff(s)

v.

Defendant(s)

)
)
)
)
)
)
)
)
)
)
)

Civil Action No. _____

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*: _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

U.S. Department of Justice
United States Marshals Service

PROCESS RECEIPT AND RETURNSee "Instructions for Service of Process by U.S. Marshal"

PLAINTIFF	COURT CASE NUMBER
DEFENDANT	TYPE OF PROCESS

SERVE AT { NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN
ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW	Number of process to be served with this Form 285	
	Number of parties to be served in this case	
	Check for service on U.S.A.	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (**Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service:**)

Fold

Fold

Signature of Attorney other Originator requesting service on behalf of:	<input type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER	DATE
---	--	------------------	------

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY-- DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only for USM 285 if more than one USM 285 is submitted)	Total Process _____	District of Origin No. _____	District to Serve No. _____	Signature of Authorized USMS Deputy or Clerk _____	Date _____
---	------------------------	---------------------------------	--------------------------------	---	---------------

I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the on the individual, company, corporation, etc. shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)

Name and title of individual served (if not shown above)	<input type="checkbox"/> A person of suitable age and discretion then residing in defendant's usual place of abode				
Address (complete only different than shown above)	<table border="1"> <tr> <td>Date</td> <td>Time <input type="checkbox"/> am <input type="checkbox"/> pm</td> </tr> <tr> <td colspan="2">Signature of U.S. Marshal or Deputy _____</td> </tr> </table>	Date	Time <input type="checkbox"/> am <input type="checkbox"/> pm	Signature of U.S. Marshal or Deputy _____	
Date	Time <input type="checkbox"/> am <input type="checkbox"/> pm				
Signature of U.S. Marshal or Deputy _____					

Service Fee	Total Mileage Charges including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal* or (Amount of Refund*)

REMARKS:

PRINT 5 COPIES:

1. CLERK OF THE COURT
2. USMS RECORD
3. NOTICE OF SERVICE
4. BILLING STATEMENT*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.
5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

_____ District of _____

Plaintiff(s)

v.

Defendant(s)

)
)
)
)
)
)
)
)
)
)
)

Civil Action No. _____

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*: _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

U.S. Department of Justice
United States Marshals Service

PROCESS RECEIPT AND RETURNSee "Instructions for Service of Process by U.S. Marshal"

PLAINTIFF	COURT CASE NUMBER
DEFENDANT	TYPE OF PROCESS

SERVE AT { NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN
ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW	Number of process to be served with this Form 285	
	Number of parties to be served in this case	
	Check for service on U.S.A.	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service):

Fold

Fold

Signature of Attorney other Originator requesting service on behalf of:	<input type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER	DATE
---	--	------------------	------

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY-- DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only for USM 285 if more than one USM 285 is submitted)	Total Process _____	District of Origin No. _____	District to Serve No. _____	Signature of Authorized USMS Deputy or Clerk _____	Date _____
---	------------------------	---------------------------------	--------------------------------	---	---------------

I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the on the individual, company, corporation, etc. shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)

Name and title of individual served (if not shown above)	<input type="checkbox"/> A person of suitable age and discretion then residing in defendant's usual place of abode				
Address (complete only different than shown above)	<table border="1"> <tr> <td>Date</td> <td>Time <input type="checkbox"/> am <input type="checkbox"/> pm</td> </tr> <tr> <td colspan="2">Signature of U.S. Marshal or Deputy _____</td> </tr> </table>	Date	Time <input type="checkbox"/> am <input type="checkbox"/> pm	Signature of U.S. Marshal or Deputy _____	
Date	Time <input type="checkbox"/> am <input type="checkbox"/> pm				
Signature of U.S. Marshal or Deputy _____					

Service Fee	Total Mileage Charges including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal* or (Amount of Refund*)

REMARKS:

PRINT 5 COPIES:

1. CLERK OF THE COURT
2. USMS RECORD
3. NOTICE OF SERVICE
4. BILLING STATEMENT*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.
5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

_____ District of _____

Plaintiff(s)

v.

Defendant(s)

)
)
)
)
)
)
)
)
)
)
)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* _____
 was received by me on *(date)* _____ .

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____ , a person of suitable age and discretion who resides there,
 on *(date)* _____ , and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____ , who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 _____ on *(date)* _____ ; or

☐ I returned the summons unexecuted because _____ ; or

☐ Other *(specify)*: _____ .

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

U.S. Department of Justice
United States Marshals Service

PROCESS RECEIPT AND RETURNSee "Instructions for Service of Process by U.S. Marshal"

PLAINTIFF	COURT CASE NUMBER
DEFENDANT	TYPE OF PROCESS

SERVE AT { NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN
ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW	Number of process to be served with this Form 285	
	Number of parties to be served in this case	
	Check for service on U.S.A.	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (**Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service:**)

Fold

Fold

Signature of Attorney other Originator requesting service on behalf of:	<input type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER	DATE
---	--	------------------	------

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY-- DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only for USM 285 if more than one USM 285 is submitted)	Total Process _____	District of Origin No. _____	District to Serve No. _____	Signature of Authorized USMS Deputy or Clerk _____	Date _____
---	------------------------	---------------------------------	--------------------------------	---	---------------

I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the on the individual, company, corporation, etc. shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)

Name and title of individual served (if not shown above)	<input type="checkbox"/> A person of suitable age and discretion then residing in defendant's usual place of abode				
Address (complete only different than shown above)	<table border="1"> <tr> <td>Date</td> <td>Time <input type="checkbox"/> am <input type="checkbox"/> pm</td> </tr> <tr> <td colspan="2">Signature of U.S. Marshal or Deputy _____</td> </tr> </table>	Date	Time <input type="checkbox"/> am <input type="checkbox"/> pm	Signature of U.S. Marshal or Deputy _____	
Date	Time <input type="checkbox"/> am <input type="checkbox"/> pm				
Signature of U.S. Marshal or Deputy _____					

Service Fee	Total Mileage Charges including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal* or (Amount of Refund*)

REMARKS:

PRINT 5 COPIES:

1. CLERK OF THE COURT
2. USMS RECORD
3. NOTICE OF SERVICE
4. BILLING STATEMENT*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.
5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED